IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.44257 of 2008
JANESHWAR SINGH @ TUTIA, son of
Sukul Singh, Resident of village Bhgautipur, P.S.
Udwant Nagar, District Bhojpur …. Petitioner
Versus
STATE OF BIHAR ….. Opposite party

02/ 26.11.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case registered for the offence under Section 395 of the Indian Penal Code, which was lodged against unknown in connection with dacoity of two tractors loaded with rice. Petitioner was arrested on suspicion on 5.8.2008 even prior thereto one tractor with loaded trailer and another trailer loaded with rice was recovered on 3/ 4.8.2008. The engine of the other tractor was not recovered. It is further submitted on behalf of the petitioner that his antecedent is absolutely clean.

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Let the court below verify both the facts that the recovery/ seizure of the tractor and loaded trailer was made on 3/ 4.8.2008 and petitioner was arrested on 5.8.2008 as also the fact that his antecedent is absolutely clean and if both the facts are correct, then only petitioner, Janeshwar Singh @ Tutia be released on bail on furnishing bail bond of Rs. 5,000/- (Rs. Five thousand only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwant Nagar P.S. Case No. 156 of 2008.

Arjun/ **(V.N. Sinha, J.)**